

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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TAMMY SICKINGER,

Plaintiff,

v.

Case No. 19-cv-1489-pp

ANDREW M. SAUL,

Defendant.

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**ORDER REQUIRING PLAINTIFF TO FILE AN AMENDED MOTION FOR  
LEAVE TO PROCEED WITHOUT PREPAYING THE FILING FEE**

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The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 2.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

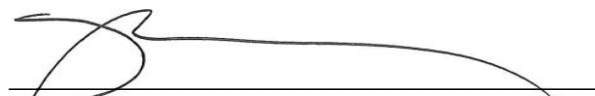
The plaintiff's affidavit contains some contradictions and is missing some information that the court needs in order to determine whether she can pay the filing fee, so the court will require her to file an amended motion. The affidavit indicates that the plaintiff is not employed, she is married, and she has no dependents she is responsible for supporting. Dkt. No. 2 at 1. According to the plaintiff's affidavit, her spouse earns \$2,994 per month. *Id.* at 2. The plaintiff

lists monthly expenses of \$310 for rent and \$483.21 for car payments, and on the line for other household expenses she wrote “\$2,763.00 total expenses.” Id. The court is unsure whether that means that the plaintiff’s *entire monthly expenses* (including rent and car payments) are \$2,763 or whether the plaintiff’s *household* expenses are \$2,763. When she files her amended request, the plaintiff should clarify this for the court. In addition, despite listing a rent payment under monthly expenses, the plaintiff later indicates that she owns her home. Id. at 3. The plaintiff should also clarify this discrepancy in her amended request. Lastly, in the Other Circumstances section of the affidavit, the plaintiff states, “need help with health care we can not pay for the care of my health.” Id. at 4. It would be helpful for the court if the plaintiff could indicate the approximate amount of her monthly health care bills in her amended motion. The plaintiff is represented by counsel, who should assist her in filling out the amended motion.

The court **ORDERS** that the plaintiff must file an amended affidavit by the end of the day on **November 6, 2019**. If the plaintiff does not provide a new affidavit in time for the court to receive it by the deadline, the court will deny her application to proceed without prepayment of the filing fee and will require her to pay the full \$400 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 16th day of October, 2019.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**